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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,091	08/06/2003	Anne M. Pianca	AB-185U	6980
23845	7590	05/03/2007		
ADVANCED BIONICS CORPORATION 25129 RYE CANYON ROAD VALENCIA, CA 91355				
			EXAMINER KAHELIN, MICHAEL WILLIAM	
			ART UNIT 3762	PAPER NUMBER
			MAIL DATE 05/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/635,091

Applicant(s)

PIANCA ET AL.

Examiner

Michael Kahelin

Art Unit

3762

All participants (applicant, applicant's representative, PTO personnel):

(1) Michael Kahelin.

(3) _____.

(2) Philip Lee.

(4) _____.

Date of Interview: 26 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: Williams et al. (US 6,214,016).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

GEORGE R. EVANISKO
PRIMARY EXAMINER

4/29/7

MEK
4/26/07

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The 112(1) rejection of the previous Office Action concerning the phrase "not movable with respect to each other" was discussed, as well as the anticipatory rejection in view of Williams. Applicant argued that paragraph 0052, as well as other passages of the disclosure, provide support for this phrase, and that Williams' invention has movable elements as shown in the transition between Figures 4-6. The examiner maintained the new matter rejection, but indicated that a convincing argument that the method of manufacture described in paragraph 0052 would inherently provide a non-movable assembly may overcome the new matter rejection. Further, since Williams discloses a condition, albeit temporary, wherein the inner and outer members of the stylet are movable with respect to each other, the claim limitations are met. It was suggested to claim elements that are not movable with respect to each other at all times. No agreement was reached.